

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-11610

VISIBLE SYSTEMS CORPORATION

v.

UNISYS CORPORATION

SPECIAL VERDICT QUESTIONS FOR THE JURY

July 31, 2007

STEARNS, D.J.

Q.1. Has plaintiff Visible Systems Corporation established a right to a trademark in the word VISIBLE?

A.1. Yes X No

If the answer is "Yes," proceed to Question 2. If the answer is "No," you have reached a verdict.

Q.2. Has Visible Systems established that the Unisys 3D VISIBLE ENTERPRISE mark is substantially similar to Visible Systems' VISIBLE mark?

A.2. Yes X No

If the answer is "Yes," proceed to Question 3. If the answer is "No," you have reached a verdict.

Q.3. Has Visible Systems established the likelihood that its potential customers have been or will be confused into mistakenly believing that Unisys Corporation is the source or sponsor of Visible Systems' products and/or services?

A.3. Yes X No

If the answer is "Yes," proceed to Question 4. If the answer is "No," you have reached a verdict.

Q.4. Has defendant Unisys Corporation's infringement of the VISIBLE mark caused harm to plaintiff Visible Systems Corporation in the form of lost profits or other monetary damages?

A.4. Yes X No _____

If the answer is "Yes," proceed to Question 5. If the answer is "No," you have reached a verdict.

Q.5. Please state, in words and figures, the dollar amount of damages which you have determined defendant Unisys Corporation should pay to plaintiff Visible Systems Corporation in order to restore it to the position it would have been in had the infringement not occurred.

A.5.

Two Hundred Fifty Thousand (Dollars)
(Amount in Words)

\$ 250,000
(Amount in Figures)

Please continue to Question 6.

Q.6. Was defendant Unisys Corporation's infringement of Visible Systems' mark willful?

A.6. Yes X No _____

I certify that the above answer(s) represent the unanimous verdict of the jury.

Jane Tanner
Foreperson

Dated: 07/31/07